

By: Harris

S.B. No. 1013

A BILL TO BE ENTITLED

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AN ACT

relating to the use of private legal counsel by certain hospital districts.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subsections (b) and (d), Section 281.056, Health and Safety Code, are amended to read as follows:

(b) The district may employ or contract with private legal counsel to represent the district on any legal matter. If the district does not employ or contract with private legal counsel on a legal matter, the [The] county attorney, district attorney, or criminal district attorney, as appropriate, with the duty to represent the county in civil matters shall represent the district [~~in all legal matters~~].

(d) If the district receives legal services from a county attorney, district attorney, or criminal district attorney, the [The] district shall contribute sufficient funds to the general fund of the county for the account of the budget of the county attorney, district attorney, or criminal district attorney, as appropriate, to pay all additional salaries and expenses incurred by that officer in performing the duties required by the district.

SECTION 2. Subsection (c), Section 281.056, Health and Safety Code, is repealed.

SECTION 3. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as

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1 provided by Section 39, Article III, Texas Constitution. If this  
2 Act does not receive the vote necessary for immediate effect, this  
3 Act takes effect September 1, 2005.

COMMITTEE AMENDMENT NO. 1

Amend S.B. No. 1013 (Senate Engrossed Version) as follows:

(1) In SECTION 1 of the bill, strike the recital (page 1, lines 5 and 6) and substitute the following:

Section 281.056, Health and Safety Code, is amended by amending Subsections (b) and (d) and adding Subsection (b-1) to read as follows:

(2) In SECTION 1 of the bill, strike amended Section 281.056(b), Health and Safety Code (page 1, lines 7 through 13), and substitute the following:

(b) Except as provided by Subsection (b-1), a district may employ or contract with private legal counsel to represent the district on any legal matter. If the district does not employ or contract with private legal counsel on a legal matter, the [The] county attorney, district attorney, or criminal district attorney, as appropriate, with the duty to represent the county in civil matters shall represent the district [~~in all legal matters~~].

(b-1) The county attorney, district attorney, or criminal district attorney, as appropriate, with the duty to represent the county in civil matters shall, in all legal matters, represent a district located in:

(1) a county with a population of 650,000 or more that borders the United Mexican States;

(2) a county with a population of 3.4 million or more;  
or

(3) a county with a population of more than 800,000 that was not included in the boundaries of a hospital district

1 before September 1, 2003.

2 (3) Strike SECTION 2 of the bill and renumber subsequent  
3 SECTIONS of the bill accordingly.

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